



Meeting Minutes
Planning Commission

Tuesday, June 16, 2020

1:30 PM

Virtual Meeting

VIRTUAL MEETING (See Instructions Below)

Instructions on How to Watch and/or Participate in the Virtual Meeting

[20-4530](#)

Instructions on How to Watch and/or Participate in the Virtual Meeting

I. Call to Order

Mr. Snyder called the meeting to order at 1:30 p.m.

II. Roll Call

Mr. McKeon joined the meeting at 1:55 p.m.

Present: 6 - Chair Barry Snyder, Shaun Graser, Kit McKeon, Richard Hale, Bill Willson and Richard Lawson

Absent: 1 - Scott Williams

Also Present

City Attorney Kelly Fernandez, City Clerk Lori Stelzer, Development Services Director Jeff Shrum, Planning Manager Roger Clark, Planner Nicole Tremblay, City Engineer Kathleen Weeden, Assistant City Engineer Jon Kramer and Recording Secretary Jeane St. Luce.

Ms. Fernandez referenced Executive Order No. 20-69 issued by Governor DeSantis and Executive Order No. 2020-04 issued by the city regarding public meetings, and commented on public participation in public meetings.

III. Approval of Minutes

[20-4569](#)

Minutes of the June 1, 2020 Virtual Workshop and June 2, 2020 Virtual Meeting

A motion was made by Mr. Willson, seconded by Mr. Hale that the Minutes of June 1, 202 and June 2, 2020 meetings be approved as written. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

IV. Audience Participation

No one signed up to speak.

V. Public Hearings

-19-08CP Comprehensive Plan Map Amendment - Hurt Property
Staff: Roger Clark, AICP, Planning Manager
Agent: Jeffery A. Boone, Esq., Boone Law Firm
Owner's: Mary H. McMullen, Joseph W. and Randall C. Hurt as Trustees of the Shackett Creek Trust

Mr. Snyder announced this is a legislative hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Mr. Clark provided a presentation on the comprehensive plan amendment petition to include project information, aerial site photograph, property location, photograph of the site, surrounding property information, annexation of the property, proposed future land use map, and comprehensive plan amendment.

Discussed ensued on separating the text and map amendments.

Mr. McKeon joined the meeting.

Mr. Clark continued on with the planning analysis, Joint Planning Area (JPA) 1 map, proposed strategy land use LU 1.29.e definition and map, Mixed Use Transitional (MUT) designation, MUT table changes, development details table, financial feasibility study of the comprehensive plan, and consistency with Chapter 163 Florida Statutes.

Discussion followed on mixed use designations in specific geographic areas, proposed division between the different zoning designations, industrial land use and commercial general in the southern portion of the property, density of the zoning district and proposed creation of new land use designations.

Recess was taken at 2:22 p.m. until 2:24 p.m.

Mr. Boone, representing applicant, noted the amendment is consistent with the city's comprehensive plan, zoning code and Land Development Regulations (LDR) and spoke on the size of the parcel, the annexation of the property, rezoning of the property due to state statute and city code, creek as a natural buffer to separate the residential and industrial zoning

boundaries, proposed future land use map and comprehensive plan amendments.

Discussion followed on the proposed zoning districts in mixed use areas, measurement of building height, minimum density, proposed strategies plan, on the creek proposed as a separation buffer between residential and industrial zoning boundaries and potentially incompatible with existing land use designations.

No one signed up to speak.

Mr. Snyder closed the public hearing.

Recess was taken at 3:33 p.m. until 3:36 p.m.

A motion was made by Mr. Graser, seconded by Mr. Willson, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this petition consistent with the Comprehensive Plan and in compliance with Florida Statutes Chapter 163, Part II, and therefore recommends to the City Council approval of Comprehensive Plan Amendment Petition No. 19-08CP. The motion failed by the following vote:

No: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

-19-07RZ

Zoning Map Amendment - Hurt Property

Staff: Roger Clark, AICP, Planning Manager

Agent: Jeffery A. Boone, Esq., Boone Law Firm

Owner's: Mary H. McMullen, Joseph W. and Randall C. Hurt as Trustees of the Shackett Creek Trust

Mr. Snyder asked Mr. Boone how he wished to proceed with the proposed zoning map amendment since the comprehensive plan amendment failed.

Mr. Boone, representing applicant, being duly sworn, requested a recess.

Recess was taken at 3:44 p.m. until 3:48 p.m.

Mr. Boone stated due to recommended vote on the comprehensive plan amendment, the requested rezoning is no longer consistent with the comprehensive plan.

Ms. Fernandez suggested waiving staff presentation and move forward.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. There were none.

There was consensus to waive staff presentation.

Mr. Boone waived their presentation.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds that this petition is not consistent with the Comprehensive Plan and is not in compliance with the Land Development Code because Comprehensive Plan Amendment Petition No. 19-08CP was denied and, therefore, recommends to the City Council denial of Zoning Amendment Petition No. 19-07RZ. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

19-47SE

Special Exception - Parkside Cottages

Staff: Nicole Tremblay, Planner

Agent: Jeffery A. Boone, Esq., Boone Law Firm, P.A.

Owner: TP Three, LLC.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. McKeon, Mr. Graser, Mr. Hale and Mr. Willson disclosed site visits with no communication. There were no conflicts of interest.

Ms. Tremblay, being duly sworn, provided a presentation on special exception and site and development plan petitions to include site plan, site photos, zoning and future land use, existing land use designations, planning analysis with site and development plan, compliance with Land Development Code (LDC) and concurrency and mobility regulations, special exceptions for parking space width and cash deposit in lieu of sidewalk.

Discussion ensued on criteria for lower density special exception to the comprehensive plan amendment and cash deposit in lieu of sidewalk.

Mr. Boone, representing applicant, being duly sworn, noted consistency with site and development plan and meets the special exception criteria.

Mr. Lindemuth, being duly sworn, provided a presentation on Parkside Cottages.

Mr. Boone noted the petition is consistent with city's comprehensive plan, codes and regulation and spoke on special exception, density, designated zoning on the property and the criteria of strategy LU 1.2.3 evaluation.

No one signed up to speak.

Discussion ensued on the strategy LU 1.2.3, proposed moderate development density, existing land use, compatibility and work force housing.

Mr. Clark, being duly sworn, commented on the established code for cash deposit in lieu of sidewalk and the city council to establish the deposit amount.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the record, and moves to approve Special Exception Petition No. 19-47SE. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

19-46SP

Site and Development Plan - Parkside Cottages

Staff: Nicole Tremblay, Planner

Agent: Jeffery A. Boone, Esq., Boone Law Firm, P.A.

Owner: TP Three, LLC.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. McKeon, Mr. Graser, Mr. Hale and Mr. Willson disclosed site visits with no communication. There were no conflicts of interest.

This item was discussed under Special Exception Petition No. 19-47SE.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. McKeon, seconded by Mr. Willson, that based on review of the application materials, the staff report and testimony and evidence provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the record, and moves to approve Site and Development Plan Petition No. 19-46SP with the stipulation provided in the staff report and allowing a cash deposit in lieu of construction of a sidewalk on Substation Road and allowing a lower density than required by the Comprehensive Plan pursuant to proposed Comprehensive Plan Strategy LU 1.2.3. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

19-52PP

Preliminary Plat Amendment - Toscana Isles Unit 2

Staff: Nicole Tremblay, Planner

Agent: D. Shawn Leins, P.E., President, AM Engineering, LLC.

Owners: LALP Development, LLC., LALP Option 2, LLC., and LALP Option 3, LLC.

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. Willson, Mr. Hale, Mr. Graser and Mr. McKeon disclosed site visits with no communication. There were no conflicts of interest.

Ms. Tremblay, being duly sworn, provided a presentation on the site and development plan petition to include project background and information, surrounding photos, zoning map, future land use map, comprehensive plan consistency, Planned Unit Development (PUD) and Land Development Code compliance, concurrency and mobility and proposed monument sign.

Discussion ensued on the proposed monument and existing signs and the consistency of the signage.

Mr. Boone, representing applicant, being duly sworn, noted the preliminary plat amendment is consistent with the city's comprehensive plan, and zoning codes and commented the proposed sign is consistent with the existing sign style and meets the PUD standards for this development.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Willson, seconded by Mr. McKeon, that based on review of the application materials, the staff report and testimony and evidence provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this petition consistent with the Comprehensive Plan, in compliance with the Land Development Code and with the affirmative Findings of Fact in the record, and recommends approval to City Council of Preliminary Plat Petition No. 19-52PP. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

19-51SP

Site and Development Plan - Lord Higel House

Staff: Nicole Tremblay, Planner

Agent: Kathleen Weeden, P.E., CFM, City Engineer

Owner: City of Venice

Mr. Snyder announced this is a quasi-judicial hearing, read memorandum regarding advertisement and written communications, and opened the public hearing.

Ms. Fernandez queried board members on ex-parte communications and conflicts of interest. Mr. Graser, Mr. McKeon, Mr. Hale and Mr. Willson disclosed site visits with no communication. There were no conflicts of interest.

Ms. Tremblay, being duly sworn, provided a presentation on the site and development plan petition to include parking lot site plan, existing conditions, zoning map, future land use map, adjacent land use, site photos, comprehensive plan consistency, land development code compliance and concurrency and mobility.

Mr. Shrum, being duly sworn, provided additional information on the parking lot and approval of site plan.

Discussion ensued on the site plan, additional parking for city hall, designated crosswalk and mid-block crosswalk.

Mr. Snyder acknowledged receiving written comment and asked staff if it had been addressed. Assistant City Engineer Jon Kramer, being duly sworn, stated all concerns have been addressed.

No one signed up to speak.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Hale, seconded by Mr. Willson, that based on review of the application materials, the staff report and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency, finds this petition consistent with the Comprehensive Plan, is in compliance with the Land Development Code and with the affirmative Findings of Fact in the record, and moves to approve Site and Development Plan Petition No. 19-51SP. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Mr. Graser, Mr. McKeon, Mr. Hale, Mr. Willson and Mr. Lawson

Absent: 1 - Mr. Williams

VI. Comments by Planning Division

[20-4537](#)

Land Development Regulations Update
Staff: Jeff Shrum, AICP, Development Services Director

Discussion took place on the board's meeting schedule for June.

VII. Comments by Planning Commission Members

Mr. Shrum discussed the upcoming meetings.

Discussion followed on previous workshop meeting and staff will be meeting with the consultant to finalize language, and height requirements.

VIII. Adjournment

There being no further business to come before this Board, the meeting was adjourned at 5:28 p.m.


Barry R. Snyder (Aug 19, 2020 10:13 EDT)

Chair


Recording Secretary